Serial Nos 1 — 9

34-1-2

GENERAL AND REVENUE SECRETARIAT.

Serial No. 1 — 9

Register Part B for 1

SUBJECT.

Appeal of Ramaiakka wife of Kochan
Servai of Kulasa Boundaried Salak in re/
Ten Cawn Land attached to Gopalawami Kovil
in said village

Ramaiakka wife of Kochan Veriah
Kulasa Village Boundaried

Counterpetition
Draft

3 Cawn

Represented that she is refused to be Deputy
Commissioner to whom order Land been issued
on the Petition

(O 2235-4) FB—20,000—14-6-20

Q.+239 992
G. R. S. IX-51
Previous references.
Later references.
Mss 992
0 158 195

Register No. 4798
from Diocese Köln to Berlin
of 15 Sept 1879

The Govt. have no right to turn out an archbishop & appoint a new man. The archbishopric is a civil right. — All we have to say is what is to be done with the Dean! It was given to the archbishop for service, but his mortgage it. He still continues in the service. — My own opinion is, that so long as he continues to do service he fulfils the condition of the grant & Govt. have no right to interfere. He may lease it, or mortgage it, cultivate it, or keep waste. His right commences when he ceases to do service. — If this view is right, we have nothing to appeal to the Patriarch & say we cannot interfere so long as service continues to be performed. —

The other view possible is, that the moment the archbishop ceases to hold the Deanery, Govt can take

* The Register of 1879 is missing from the Consistory Archive

it back, as it was given to him for his Personal & not that of another. —

In the above the Govt right to Income of the Kind is restricted to assert & not its right to the land. Here the Govt seem to assert their right to the land also. — If so, the Govt may resume the Grant, authorize the Govt Officials to Lease it out & pay its rent to the Trustee of the Pagoda — If there is no trustee, the Collector may be ordered to spend it for Pagoda purposes. I do not think the Govt incorporate the Grant with Religious Lands & take it's case to Govt. —

As the decision in this case involves a principle, we had better send the papers to the Devan.

7/10/09

Submit to Devan

6/10/09

7/10/09

* Brahman inhabitants who have no connection with the Temple. Have not right to Grant in Grant to the Temple.

No. 165

Mysore Dewan's Office,

PETITION DEPARTMENT.

Official Memorandum.

L.61 75-89 Sr. 2

The accompanying copy of Petition No. 373, dated 26th May 1889 received at the Dewan's Office from Ramiah Ka wife of Archika Veeriah, Hulkur Village, Bowringpet Taluk is forwarded, together with its one enclosure, to the Deputy Commissioner Kolar Dist. for submission of Proceedings before the 18th instant on which date the Petition will be heard.

BANGALORE,
15th July 1889

By Order,
Under Secretary.

Mysore Government Press, Bangalore.—11-8-88.—1,000.

(General Serial No. 31.)

1889.

OFFICE OF THE DEWAN OF MYSORE. 2837 Received 19 JUL 89 186

From

The Deputy Commissioner
Kolar District

No. 75-89-2 Government

To The Chief Secretary to the ~~Dewan~~ of Mysore

Dated 17th July 1889

Despatched 18

Received 19

Enclosures No. One

General No. 1154

No. 191 1889-90

Herewith official Memorandum No. 765 dated the 15th Instant forwarding for submission of Proceedings copy of a petition from Muniakka wife of Archika Veeriah of Hulkur Village Bowringpet Taluk

---

With reference to the above, has the honor to state that the Amildar of Bowringpet who has the records of the case, has this day been ordered to submit the same direct to the Chief Secretary's Office

* Herewith returned.

tomorrow by mail.

Abdul Rahman

Deputy Commissioner,

Attock

4

ಸಂಖ್ಯೆ
ಇ—ಸಾಲ
ಹೈಕೋರ್ಟ್ ಆಫ್ ಕರ್ನಾಟಕ

ಹೈಕೋರ್ಟ್ ಆಫ್ ಕರ್ನಾಟಕದ ಪರವಾಗಿ ಮಾನ್ಯ

ಅವರ ಆಜ್ಞಾನುಸಾರ

ಮಾನ್ಯ ಅವರ ಆಜ್ಞಾನುಸಾರ ಈ ಕೆಳಗೆ ಸಹಿ ಮಾಡಿರುವ ಅಧಿಕಾರಿಯು ಈ ಕೆಳಗೆ ಕಂಡ ಆಸ್ತಿಯನ್ನು ಹರಾಜು ಮಾಡಿ ಅದರಿಂದ ಬರುವ ಹಣವನ್ನು ಕೆಳಗೆ ಕಂಡ ಪ್ರಕರಣದಲ್ಲಿ ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ವಸೂಲು ಮಾಡಿಕೊಡಲು ಆಜ್ಞಾಪಿಸಿರುತ್ತಾರೆ.

ಆಸ್ತಿಯ ವಿವರ ಮತ್ತು ಅದರ ಮೌಲ್ಯ ಹಾಗೂ ಅದನ್ನು ಹರಾಜು ಮಾಡಬೇಕಾದ ಸ್ಥಳ ಮತ್ತು ಸಮಯ

ಕೆಳಗೆ ಕಂಡ ಆಸ್ತಿಯನ್ನು ಹರಾಜು ಮಾಡಿ ಅದರಿಂದ ಬರುವ ಹಣವನ್ನು ಕೆಳಗೆ ಕಂಡ ಪ್ರಕರಣದಲ್ಲಿ ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ವಸೂಲು ಮಾಡಿಕೊಡಲು ಆಜ್ಞಾಪಿಸಿರುತ್ತಾರೆ. ಈ ಹರಾಜಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕೆಳಗೆ ಕಂಡ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಸಾರ್ವಜನಿಕ ಹರಾಜು ಮಾಡಲಾಗುವುದು. ಈ ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಲು ಇಚ್ಛಿಸುವವರು ಕೆಳಗೆ ಕಂಡ ಷರತ್ತುಗಳನ್ನು ಚೆನ್ನಾಗಿ ಓದಿ ತಿಳಿದುಕೊಂಡು ಅವುಗಳಿಗೆ ಒಳಪಟ್ಟು ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಬೇಕಾಗಿ ಕೋರಲಾಗಿದೆ.

ಷರತ್ತುಗಳು

1. ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಲು ಇಚ್ಛಿಸುವವರು ಹರಾಜಿಗೆ ಮುಂಚೆ ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ಅಧಿಕಾರಿಯವರಿಗೆ ಕೊಟ್ಟು ಅದಕ್ಕೆ ರಸೀದಿಯನ್ನು ಪಡೆಯಬೇಕು. ಈ ಮೊತ್ತವನ್ನು ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಿದವರಿಗೆ ಹಿಂತಿರುಗಿಸಲಾಗುವುದು. ಆದರೆ ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಿದವರು ಹರಾಜಿನಲ್ಲಿ ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೂಡಲೇ ಕೊಡಲು ಒಪ್ಪದಿದ್ದರೆ ಅಥವಾ ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೊಡಲು ತಪ್ಪಿದರೆ ಈ ಮೊತ್ತವನ್ನು ಹಿಂತಿರುಗಿಸಲಾಗುವುದಿಲ್ಲ.

2. ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಿದವರು ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೂಡಲೇ ಕೊಡಲು ಒಪ್ಪಿದರೆ ಅವರಿಗೆ ಆಸ್ತಿಯನ್ನು ಮಾರಲಾಗುವುದು. ಆದರೆ ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೊಡಲು ತಪ್ಪಿದರೆ ಅವರು ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ಕೊಡಲು ಹೊಣೆಗಾರರಾಗಿರುತ್ತಾರೆ.

3. ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಿದವರು ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೂಡಲೇ ಕೊಡಲು ಒಪ್ಪಿದರೆ ಅವರಿಗೆ ಆಸ್ತಿಯನ್ನು ಮಾರಲಾಗುವುದು. ಆದರೆ ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೊಡಲು ತಪ್ಪಿದರೆ ಅವರು ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ಕೊಡಲು ಹೊಣೆಗಾರರಾಗಿರುತ್ತಾರೆ.

4. ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಿದವರು ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೂಡಲೇ ಕೊಡಲು ಒಪ್ಪಿದರೆ ಅವರಿಗೆ ಆಸ್ತಿಯನ್ನು ಮಾರಲಾಗುವುದು. ಆದರೆ ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೊಡಲು ತಪ್ಪಿದರೆ ಅವರು ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ಕೊಡಲು ಹೊಣೆಗಾರರಾಗಿರುತ್ತಾರೆ.

5. ಹರಾಜಿನಲ್ಲಿ ಭಾಗವಹಿಸಿದವರು ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೂಡಲೇ ಕೊಡಲು ಒಪ್ಪಿದರೆ ಅವರಿಗೆ ಆಸ್ತಿಯನ್ನು ಮಾರಲಾಗುವುದು. ಆದರೆ ಕೂಗಿದ ಮೊತ್ತವನ್ನು ಕೊಡಲು ತಪ್ಪಿದರೆ ಅವರು ಕೆಳಗೆ ಕಂಡ ಮೊತ್ತವನ್ನು ಕೊಡಲು ಹೊಣೆಗಾರರಾಗಿರುತ್ತಾರೆ.

ಆ ಮೊತ್ತ ———— 25 ಪ್ರತಿಶತ ಮುಂಗಡ ಹಣವಾಗಿರಬೇಕು.

Compared Station... sign
Ag Hd Records-Keeper

T Sammaya Rao

ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿದ ದಿನಾಂಕ 7.12.84

ಅರ್ಜಿಯನ್ನು ಪರಿಶೀಲಿಸಿದ ದಿನಾಂಕ 28.1.89

ಪ್ರಮಾಣಪತ್ರ ನೀಡಿದ ದಿನಾಂಕ

(General Serial No. 31.)

OFFICE OF THE DEWAN OF MYSORE. 2866 18 JUL 89 191

From 188

The Deputy Commissioner Kolar District

No 4

To The Chief Secretary to the Government of Mysore

Dated 17th July 1889

Despatched 17th July 1889

Received 18th July 1889

Enclosures No. Vernacular records.

General No. 1168

No. 193

In continuation of this office docket No. 2837 1154 of yesterday's date, I have the honor to submit herewith the records therein referred to as they have since been received from the Bowringpet Taluk.

I have the honor,
Sir,
Your most obedient servant
Deputy Commissioner

19

1st order 7th Jany 1888
directing the
assumption of the Inquiry

2d order - dated 25 June
1888 - of the mortgage
not redeemed, the Inquiry
will be fully assessed & closed
off the Jama Regr. ——

Petition No 375
3
26th May 1889.

Muneikka
wife of Arachchi Korala
Hulkur Korale
Pitta Taluq
Kolar Dt.

Petitioners husband
mortgaged a portion of
the Service Inam to one
Maile Gowda Patail of
the Village. The Dy Comr
ordered that the mortgage
should be redeemed by the
Archaka & that if it is
not redeemed within that time
the Inquiry will be fully
assessed or left in the possession
of the Mortgagee. Appeal
is now made against the
orders.

Service Inams cannot
be mortgaged. It is not
clear when the mortgage was
made. Since however it
has been mortgaged, it may
be fully assessed, & the
assessment fixed on the Archaka
if he continues to perform
the service either by himself
or by proxy.

Letter

on 24th June 1875

26th June 1888

1 within six months

The Dy Comrs order
allowing 6 months time
is dated 25 June 1888 —
The mortgage has not
been redeemed. —

by Petitioner & on
behalf her husband
who is old & infirm. —

2
P.89

To Dy Comptroller 5/-

No 2940/101 of 18 July/89 · S.N.
22 of Mem

Ld. 75-89

Rec'd 18 July 1889

Letter from Secretary
Board of Works
Wellington
Enclosed
11/7/89

Referred to the Secretary Board of Works Wellington
No 1154/194 dated 16th July 1889, he is requested to report whether the Steam thereon referred to may not be resumed & restored to the Institution under para 2 b of the rules of 1877, instead of being sold as directed by Govt — If the Steam is to be restored to the Institution the Dy Comptr is requested to state who are the Managers of the Temple to whom the Steam resumed may be made over in trust for the Temple, it being undesirable to restore it to the Officer who has abused the trust —

18/7/89

Is this passed here?
If not it should be called for at once
for reply.
G.I
15/7

To Secretary
?

B 1889

4798
18 SEP 89
265
DIWAN OF MYSORE

From The Deputy Commissioner
Kolar District

Part I, S. No 6
dt. 75-89-5

To The Chief Secretary
to the Government
of Mysore.

Dated 15th
Despatched 17th } September
Received

Enclosures No. Two

General No. 1709 1889-90 Refd
No. 279

Sir,

With reference to your docket No. 2140/101 dated the 18th July last regarding the Inam attached to the temple of Gopalaswami, Mulkur village, Bowringpet Taluk, I have the honor to submit herewith for information the Amildar's Accts No. 482 dated the 5th instant with its enclosures on the subject.

2. There seems to be no objection to the Inam being resumed and restored to the Institution.

3. The taleb of the village

Inter to Commissioner.
21/9.

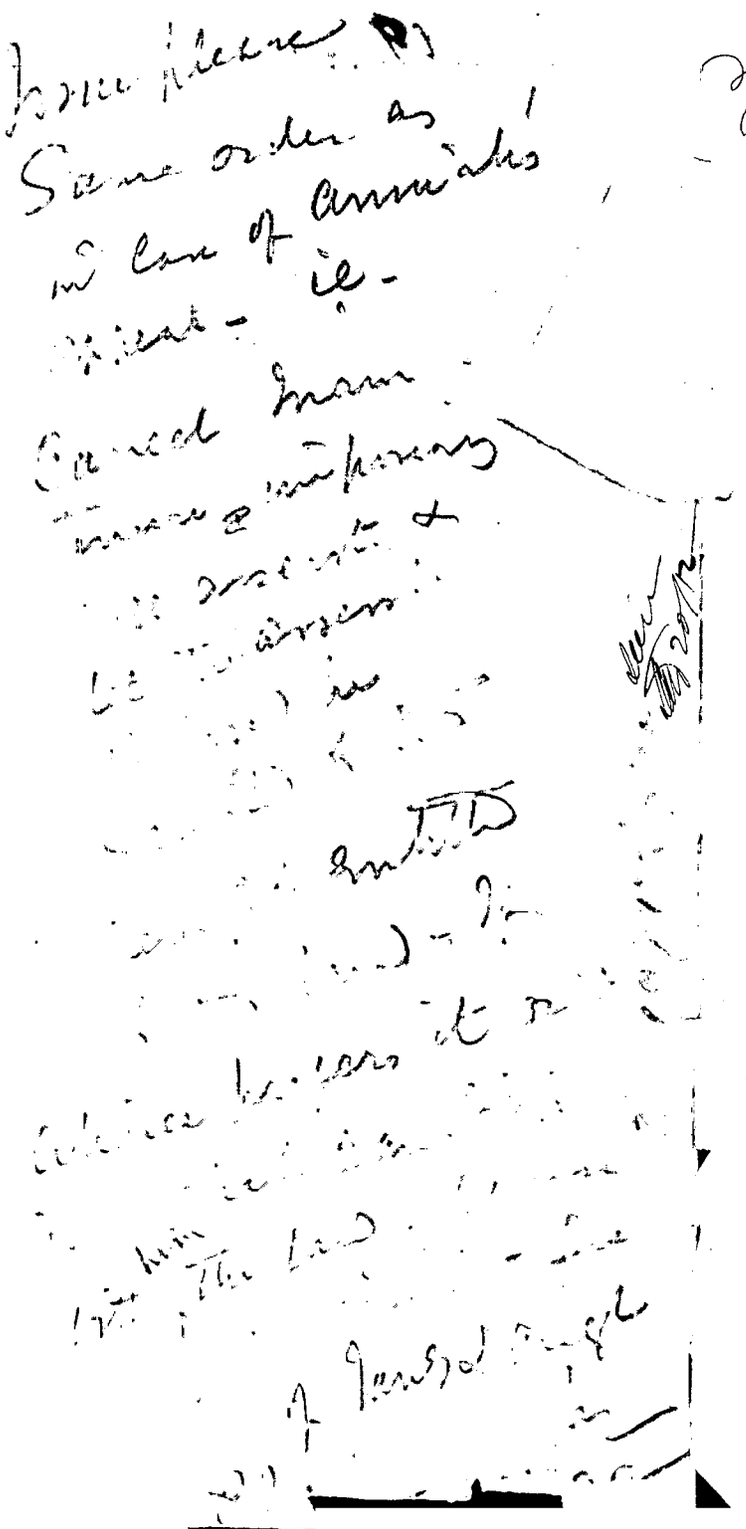
I am inclined as a matter of justice is in some instances as to require the interference of Govt in the settlement of such cases I am in favour of Class II - [illegible]

it is undesir
in trust for the Temple.

make it over to him

4. As recommended by the Commissioner, a new arrangement under proper supervision may be appointed by Government and the Imam entrusted to him on conditions against any alienation thereof, and for the due performance of the services connected with the temple.

I have the honor to be,
Sir
Your most obedient servant,
Abdul Rahman,
Deputy Commissioner



Notification

A

No. 266 Dated 14th November 1877.

Under the Sanction of the Government of India, Conveyed in their letters Nos. 89 Rand 105 R, dated 13th September and 29th October 1877, respectively, the following rules providing for the restoration of inam lands unauthorizedly alienated from the religious or charitable institutions to which they were originally assigned, are published for general information.

I All inam lands granted to religious and charitable institutions, and for the maintenance of persons rendering service therein, will be Confirmed and Continued to them, so long as the Condition of the grant are duly fulfilled.

II Whenever it is found that such lands ~~or [redacted] are~~ diverted from the ob[redacted] which they were granted

by

by means of sale, gift, mortgage or otherwise, the following rules shall be observed:—

A Where such alienations were made prior to the 31st January 1853 but within 50 years computing the period of possession up to 14th December 1867, the lands or villages so alienated will if not restored voluntarily by the holder, be confirmed and subjected to a godi of one half the assessment the godi or assessment so imposed being payable direct to the institution from which they were alienated.

B In the case of alienations made subsequent to 31st January 1853, a notice will be issued to the alienee or alienees requiring him or them to restore the lands to the institution to which they belong, within 6 months from the date

on

5.8.89

27.7.89 311

(1)

(2)

on which the notice is ~~served~~ served on the

alienee or alienees or his or their agent or

Managers who may be in charge of the

lands, and on default of Compliance

the lands will be Summarily resumed

and restored to the institution by the

Revenue authorities under instructions

from the Inam Superintendent.

c. In the case of a Simple mortgage

or hypothecation of the inam lands

-out possession, the transaction will

declared null and void in so far a

it is intended to create a lien on the

lands or to treat them as security for

the loan advanced.

III Lands held for 50 years and up-

-wards, with or without titles, Compu-

-ting the period of possession up to

14th December 1867 will be Confirmed to

the holders on the terms prese

the Land Inam Rules, and will not be included in the titledeed granted by the Inam Department to the religious institutions.

IV The alienations, whether made in favour of disciples of the institution or others connected with it, will be treated alike, and disposed of under these rules.

Rajahmundry

Veron

(iii)

5/8/89

6398

1440

Before the Government of *His Highness* the Maharaja of Mysore.

Petition ~~Appeal~~ No. 373 of 1889

~~Appellant~~.

Vs.

Respondent.

Petitioner

Muneakka
wife of Etrchik Veeria
of Hulkoor - Bowringpet Talk

Decision. of 15th December 1892

On the 24th June 1875 the petitioner husband etrchika Veeria mortgaged hay of the Service Inam lands No. 39 and 111 attached to Gopalaswami temple in the village of Hulkoor for Rs 70 to Maile Gowda patel of the said village. Since then the mortgagee has been in possession and enjoyment of the mortgaged property.

2 In 1886 the appellant on behalf of her old husband archika Veeria complained to the Amildar of Bowring-pet that Maile Gowda was unlawfully in enjoyment of the lands and prayed that they might be restored to her.

3 On the 25th June 1888 the Deputy Commissioner of Kolar ordered that if

Before the Government of *His Highness* the Maharaja of Mysore.

Petition ~~Appeal~~ No. 373 of 1889

~~Appellant~~ Petitioner

Vs.

Respondent.

Muneakka
wife of Archik Veeria
of Hulkoor - Bowringpet Talk

Decision of 15th December 1892

On the 24th June 1875 the petitioner's husband Archika Veeria mortgaged half of the Service Inam lands Nos 39 and 111 attached to Gopalaswami temple in the village of Hulkoor for Rs 70 to Maile Gowda patel of the said village. Since then the mortgagee has been in possession and enjoyment of the mortgaged property.

In 1886 the appellant on behalf of her old husband Archika Veeria complained to the Amildar of Bowring-pet that Maile Gowda was unlawfully in enjoyment of the lands and prayed that they might be restored to her.

On the 25th June 1888 the Deputy Commissioner of Kolar ordered that if

if the mortgage was not redeemed by the archik within six months the Inam should be fully assessed and left in possession of the mortgagee. The appeal is against this order.

4 The ~~Chief point~~ question at issue in this case ~~being the same as that involved~~ is the same as in the case of Bhatada malige Ainia of Sreerunga-patna no. 10126 / P.F. 129-92 dt 30/12/92 the orders passed ~~in that case are also~~ therein will be made applicable to this case ~~also~~. The government accordingly direct that the Inam ~~(Kattam on dumpa)~~ be resumed and the land fully assessed and a money grant equal to the assessment (~~as imposed~~) made to the temple entitled to the land. If the alienee prefers it or if the archik can settle with him the land of course may be restored to him. (Vide order of January 4 Aug^t 1882 Rev. ma. pages 89

By order

(Draft)

30/12

Chief Secretary

Rev

Sent.
The Petn^r is referred to the Dep^y Com^r: Dshom orders have been issued

30/12/92

No. 10128 / Pet. F. 239-92

Copy to D.C. Hassan with Rev: Papers received with his No. 1168 / 193 dt 17/7/89

Reply by 23/12 [illegible]

215-12-92

No. 373-

26

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,

December 1892.

14-1-93

Endorsement granted to Muneakka wife of archik Veeraiah of Kulkoor, Bowringpet Taluq.
in reply to her Petition Registered No. 373 dated 26th may 1889

Ls. 75-89-7 (8)

Petitioner is ~~informed that~~ referred to the Dy. Commr. whom orders have been issued to the effect that the Inam tenure ~~in dispute~~ should be deemed ~~to be~~ a ~~money grant~~ subject to the assessment imposed, & the assessment imposed ~~paid~~ granted as a money grant to the temple ~~owned~~ by the Inamdar & that if the allegations prefer'd by the archik can be proved with reference to the land may remain vested in the archik

"By Order,"

Draft

Chief Secretary.

30/12

30.12.92

SKR

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

(General Serial No. 80.) 27

1893.

OFFICE OF THE DEWAN OF MYSORE
8246
31 JAN. 93
Pet 356

Petn Br.
Lead. Mrk 31/1
N 4/2/93

From The Deputy Commissioner
Kolar District

To LA 75-89-8

The Chief Secretary to the Dewan
of Mysore.

9

Dated the 27th January 1893.

Despatched 30

Received

Enclosures No.

General No. 2312
No. 540

His No: 10128 dated 27-12-92
P.F. 239 14-1-93

forwarding Copy of Government
Decision on Petition No: 373 of 18
Petitioner, Muneakka wife of
Archik Veeriah of Anlkur, Bo
ringpet Taluk

Has the honor to request
to be kindly furnished for
reference with a Copy of the
orders passed in the case of
Bhatada Maliga Amial
Srirangapatna adver
para 4 of the ab

31/1/93

Decision. 96

Deputy Commissioner.

Hours

(General Serial No. 30.)

1893.

From Lr. 75-89-9

The Chief Secretary to the Dewan of Mysore.

To

The Dy. Commissioner,
Kolar Distt.

Dated 18

Despatched 19 Feby 93.

Received

Enclosures No.

General No. 13936
Pet. F. No. 239-92

Forwarding copy of the order passed by Govt in the case of B. Ramaiah of Srirangapatam,

To 30

The Deputy Commr.,
Kolar Distt.

His No. 2312/540 of 27 ~~Dec 93~~ Ult.

Desiring to be furnished with copy of the Order passed by Govt. in the ~~case~~ appeal of Bhatada Malleje Anniah of Srirangapatana, ~~in re the alienation of certain Inam land.~~

~~As requested in the above~~

Has the honor to forward herewith as requested, a copy of the ~~above~~ order referred to above.

"By Order"

Draft.

Chief Secretary.

HCW

10